

Marci Tulli Ciceronis pro Aulo Licinio Archia Poeta Oratio

Marcus Tullius Cicero's Speech in Defence of Aulus Licinius Archias the Poet

1. Si quid est in me ingenii, iudices, quod sentio quam sit exiguum, aut si qua exercitatio dicendi, in qua me non infitior mediocriter esse versatum, aut si huiusce rei ratio aliqua ab optimarum artium studiis ac disciplina profecta, a qua ego nullum confiteor aetatis meae tempus abhorruisse, earum rerum omnium vel in primis hic A. Licinius fructum a me repetere prope suo iure debet. Nam quoad longissime potest mens mea respicere spatium praeteriti temporis, et pueritiae memoriam recordari ultimam, inde usque repetens hunc video mihi principem et ad suscipiendam et ad ingrediendam rationem horum studiorum exstitisse. Quod si haec vox, huius hortatu praeceptisque conformata, non nullis aliquando saluti fuit, a quo id accepimus quo ceteris opitulari et alios servare possemus, huic profecto ipsi, quantum est situm in nobis, et opem et salutem ferre debemus.

1. If there is in me any vestige of ability, gentlemen of the jury, and I know how scanty that is, or if I have any practice in speaking, in which I do not deny that I am somewhat versed, or if I draw any method in my oratory from studies of the finest arts and from the training, from which I admit that I have at no time in my life been disinclined, then this man, Aulus Licinius, ought to be the first to claim the rewards of all of these things from me, as his own right. For, for as far back as my mind can see in the expanse of past time, and recall the memory of my earliest boyhood, thence tracing my life, I see that the defendant was to me, the first to encourage me both to sustain and to increase these skills to which I have referred. If this voice of mine, shaped by the encouragement and teaching of this man has at time been the salvation of some, then we

should, as much as it is in our power, extend both help and safety to him, from whom we derive the skill to help and save others.

2. Ac ne quis a nobis hoc ita dici forte miretur, quod alia quaedam in hoc facultas sit ingeni, neque haec dicendi ratio aut disciplina, ne nos quidem huic uni studio penitus umquam dediti fuimus. Etenim omnes artes, quae ad humanitatem pertinent, habent quoddam commune vinculum, et quasi cognatione quadam inter se continentur.

2. And, so that no one among us chances to wonder that I say this, because the defendant's skill lies in something other than this theory and practice of speaking, I must say that we have not always devoted ourselves entirely to this one study. In truth, all the arts that concern themselves with humanity, have some link in common, and, as it were, are bound together by a certain relationship.

3. Sed ne cui vestrum mirum esse videatur me in quaestione legitima et in iudicio publico--cum res agatur apud praetorem populi Romani, lectissimum virum, et apud severissimos iudices, tanto conventu hominum ac frequentia--hoc uti genere dicendi, quod non modo a consuetudine iudiciorum, verum etiam a forensi sermone abhorreat; quaeso a vobis, ut in hac causa mihi detis hanc veniam, adcommodatam huic reo, vobis (quem ad modum spero) non molestam, ut me pro summo poeta atque eruditissimo homine dicentem, hoc concursu hominum literatissimorum, hac vestra humanitate, hoc denique praetore exercente iudicium, patiamini de studiis humanitatis ac litterarum paulo

loqui liberius, et in eius modi persona, quae propter otium ac studium minime in iudiciis periculisque tractata est, uti prope novo quodam et inusitato genere dicendi.

3. But lest one of you gentlemen should seem to be amazed that I, before a court of law, and in a public tribunal, when a case is being tried before a praetor of the Roman people, a most eminent man, and before the most just of jury-men, before such a great gathering of men, such a crowd, employ such a manner of speaking, which is it at odds, not only with legal custom, but even with the mode of forensic oratory, I beg of you to grant me, in this case, the indulgence, appropriate to this cause, and I hope not disagreeable to you, that, as I am speaking on behalf of a very great poet and most erudite man, before this gathering of most literate men, before this most refined assembly, and before such a praetor as presides over this trial, you will allow me to speak of refined subjects and literature somewhat more freely, and, in the mode of such a man, who because of his tranquillity and his studies, is by no means versed in the dangers of a court of justice, to employ a certain new and unaccustomed manner of speaking.

4. Quod si mihi a vobis tribui concedique sentiam, perficiam profecto ut hunc A. Licinium non modo non segregandum, cum sit civis, a numero civium, verum etiam si non esset, putetis asciscendum fuisse. Nam ut primum ex pueris excessit Archias, atque ab eis artibus quibus aetas puerilis ad humanitatem informari solet se ad scribendi studium contulit, primum Antiochiae--nam ibi natus est loco nobili--celebri quondam urbe et copiosa, atque eruditissimis hominibus liberalissimisque studiis adfluenti, celeriter antecellere omnibus ingeni gloria contigit. Post in ceteris Asiae partibus cunctaeque Graeciae sic eius adventus

celebrabantur, ut famam ingeni expectatio hominis, expectationem ipsius adventus admiratioque superaret.

4. If you grant me this indulgence, I shall demonstrate that not only should Aulus Licinius not be struck from the number of citizens, since he is one, but that even if he were not, he ought to have been added to it. For when Archias first emerged from childhood, and dedicated himself to writing, giving up those skills, by which the boyhood years are accustomed to be moulded with culture, first in Antioch – for he was born in that noble place – a populous city, full of most erudite men and rich in the most liberal studies, he was fortunate to quickly surpass all in the glory of his genius. Afterwards, in the remaining parts of Asia and all of Greece his arrival would be greeted with crowds, so that such expectations formed about him, as could only be surpassed by his actual arrival, and subsequent admiration.

5. Erat Italia tunc plena Graecarum artium ac disciplinarum, studiaque haec et in Latio vehementius tum colebantur quam nunc eisdem in oppidis, et hic Romae propter tranquillitatem rei publicae non neglegebantur. Itaque hunc et Tarentini et Regini et Neopolitani civitate ceterisque praemiis donarunt; et omnes, qui aliquid de ingeniis poterant iudicare, cognitione atque hospitio dignum existimarunt. Hac tanta celebritate famae cum esset iam absentibus notus, Romam venit Mario consule et Catulo. Nactus est primum consules eos, quorum alter res ad scribendum maximas, alter cum res gestas tum etiam studium atque auris adhibere posset. Statim Luculli, cum praetextatus etiam tum Archias esset, eum domum suam receperunt. Sic etiam hoc non solum ingeni ac litterarum, verum etiam naturae atque virtutis, ut domus, quae huius adulescentiae prima fuit, eadem esset familiarissima senectuti.

5. Southern Italy was, at that time, full of the skills and learning of the Greeks; these studies were practised with more vehemence back then than they are in the same towns at present, and were not neglected here in Rome, because of the tranquillity of the Republic. Therefore the people of Tarentum, Regium and Neapolis bestowed upon this man citizenship and other honours, and all those who were able to recognise genius when they saw it, counted him worthy of their countenance and hospitality. It was in such a state of celebrity, when he was known even in places where he had never been, that he came to Rome, in the year of the consulship of Marius and Catulus. On his first arrival he found as consuls men, of whom the first could provide him with great deeds to write about, and the other could provide not only deeds but also enthusiasm and listening ears. The Luculli immediately accepted Archias into their home, though he was at that time still only of the age to wear the purple-bordered toga. And it is a tribute not only to his genius as a man of letters, but to his nature and virtue that the house, which first showed him its favour in his adolescence, is the same one that is dear to him in his old age.

6. Erat temporibus illis iucundus Metello illi Numidico et eius Pio filio; audiebatur a M. Aemilio; vivebat cum Q. Catulo et patre et filio; a L. Crasso colebatur; Lucullos vero et Drusum et Octavios et Catonem et totam Hortensiorum domum devinctam consuetudine cum teneret, adficiebatur summo honore, quod eum non solum colebant qui aliquid percipere atque audire studebant, verum etiam si qui forte simulabant. Interim satis longo intervallo, cum esset cum M. Lucullo in Siciliam profectus, et cum ex ea provincia cum eodem Lucullo decederet, venit Heracliam: quae cum esset civitas aequissimo iure ac foedere, ascribi se in

eam civitatem voluit; idque, cum ipse per se dignus putaretur, tum auctoritate et gratia Luculli ab Heracliensibus impetravit.

6. At that time, Quintus Metellus, the man named Numidicus, and his son Pius were fans of his, he was heard by Marcus Aemilius, he lived with Quintus Catulo, both Senior and Junior, his friendship was courted by Lucius Crassus, indeed he was on good terms with the Luculli, with Drusus, with the Octavii, Cato and the entire House of the Hortensii, and was treated with the greatest honour. Indeed, his friendship was courted not only by those who wished to listen and learn, but those who pretended that they did. Some time later, when he had set out for Sicily with Marcus Lucullus, and was returning from that province with that same Lucullus, he came to Heraclea. Since this state enjoyed full treaty rights, he wished to be ascribed to its citizenship. He got his wish, because he was both worthy of this honour on his own, and through the authority and grace enjoyed by Lucullus with the Heracleans.

7. Data est civitas Silvani lege et Carbonis: "Si qui foederatis civitatibus ascripti fuissent; si tum, cum lex ferebatur, in Italia domicilium habuissent; et si sexaginta diebus apud praetorem essent professi." Cum hic domicilium Romae multos iam annos haberet, professus est apud praetorem Q. Metellum familiarissimum suum.

7. The citizenship is given, under the law of Silvanus and Carbo TO THOSE WHO HAVE BEEN AWARDED CITIZENSHIP IN FEDERATE STATES, WHO ARE DOMICILED IN ITALY AT THE TIME OF THIS LAW'S BEING PASSED AND HAVE ANNOUNCED THEMSELVES TO A PRAETOR WITHIN SIXTY DAYS. Since he had been domiciled in Rome for many years at that

time, he reported to the praetor Quintus Metellus, a very good friend of his.

8. Si nihil aliud nisi de civitate ac lege dicimus, nihil dico amplius: causa dicta est. Quid enim horum infirmari, Grati, potest? Heracliaene esse tum ascriptum negabis? Adest vir summa auctoritate et religione et fide, M. Lucullus, qui se non opinari sed scire non audisse sed vidisse, non interfuisse sed egisse dicit. Adsunt Heraclienses legati, nobilissimi homines: huius iudici causa cum mandatis et cum publico testimonio venerunt; qui hunc ascriptum Heracliensem dicunt. His tu tabulas desideras Heracliensium publicas: quas Italico bello incenso tabulario interisse scimus omnis. Est ridiculum ad ea quae habemus nihil dicere, quaerere quae habere non possumus; et de hominum memoria tacere, litterarum memoriam flagitare; et, cum habeas amplissimi viri religionem, integerrimi municipi ius iurandum fidemque, ea quae depravari nullo modo possunt repudiare, tabulas, quas idem dicis solere corrumpi, desiderare.

8. If I am to speak of nothing other than the state and the law, I have nothing more to say; my case is made. For which of these facts can you challenge, Grattius? Do you deny that he was made a citizen of Heraclea when he was? There is present here a man of great authority, piety, and trust, Marcus Lucullus, who testifies not that he believes it, but that he knows it, not that he has heard of it, but that he saw it, and not that he was there when it was done, but that he did it himself. There are present ambassadors from Heraclea, most noble men, who have come bringing documents and public testimony to this case, testimony which says that the defendant was made a Heraclean. And now you demand the public records of the Heracleans, which we all know were burned in the Italian

War. It is absurd to say nothing of that which we see, but to demand that which we cannot have, and to keep quiet about the memory of men, but demand documentary evidence; and, when you have the most testimony of a very honourable man, and the oath and good faith of a very honourable town, you deny these things, which cannot in any wise be compromised, but you demand records, which you yourself say are often falsified.

9. An domicilium Romae non habuit is, qui tot annis ante civitatem datam sedem omnium rerum ac fortunarum suarum Romae conlocavit? At non est professus. Immo vero eis tabulis professus, quae solae ex illa professione conlegioque praetorum obtinent publicarum tabularum auctoritatem. Nam--cum Appi tabulae negligentius adservatae dicerentur; Gabini, quam diu incolumis fuit, levitas, post damnationem calamitas omnem tabularum fidem resignasset--Metellus, homo sanctissimus modestissimusque omnium, tanta diligentia fuit, ut ad L. Lentulum praetorem et ad iudices venerit, et unius nominis litura se commotum esse dixerit. In his igitur tabulis nullam lituram in nomine A. Licini videtis.

9. You deny that he was domiciled in Rome? He, who, so many years before the citizenship was granted to him moved the seat of all his possessions and fortune to Rome! You deny that he presented himself? Indeed, his presentation of himself is recorded in the records, which are the only ones from the records of the college of praetors to receive public approval. For, though it is said that the records of Appius were kept up to date quite negligently, and that those of Gabinus were repudiated after his prosecution because of his carelessness with them while he was still free, yet Metellus, a man most conscientious and orderly, was so diligent

that he came before the praetor Lucius Lentulus and the jury to say that he was worried about the erasure of but one name. You will not, therefore, see any erasure over the name of Aulus Licinius in these tablets.

10. Quae cum ita sunt, quid est quod de eius civitate dubitetis, praesertim cum aliis quoque in civitatibus fuerit ascriptus? Etenim cum mediocribus multis et aut nulla aut humili aliqua arte praeditis gratuito civitatem in Graecia homines impertiebant, Reginos credo aut Locrensis aut Neapolitanos aut Tarentinos, quod scenicis artificibus largiri solebant, id huic summa ingeni praedito gloria noluisse! Quid? cum ceteri non modo post civitatem datam, sed etiam post legem Papiam aliquo modo in eorum municipiorum tabulas inrepserunt, hic, qui ne utitur quidem illis in quibus est scriptus, quod semper se Heracliensem esse voluit, reicietur?

10. When matters are so, what is it that you doubt about his citizenship, especially given that he was enrolled in the citizenship of other towns? For when the states in Greece were giving their citizenship to many mediocre men, men of either no skill or of some humble art, I suppose that the people of Rhegium, Locri, or Naples or Tarentum, who were accustomed to reward stage-performers, would not wish to honour him, who had covered himself in glory through his genius! What? When others were smuggling themselves onto the records of those towns, not only after the grant of citizenship but even after the Papian law was passed, is this man, who did not even make use of his citizenship of these towns, because he always wanted to be a Heracleian, really to be driven out?

11. Census nostros requiris scilicet. Est enim obscurum proximis censoribus hunc cum clarissimo imperatore L. Lucullo apud exercitum fuisse; superioribus, cum eodem quaestore fuisse in Asia; primis Iulio et Crasso nullam populi partem esse censam. Sed--quoniam census non ius civitatis confirmat, ac tantum modo indicat eum qui sit census ita se iam tum gessisse pro cive--eis temporibus quibus tu criminaris ne ipsius quidem iudicio in civium Romanorum iure esse versatum, et testamentum saepe fecit nostris legibus, et adiit hereditates civium Romanorum, et in beneficiis ad aerarium delatus est a L. Lucullo pro consule.

11. You ask for our census returns. Of course; for it's classified information that when the last censors were in office, the defendant was with that most famous of generals, Lucius Lucullus, accompanying the army, that when the census before that was taken, he was in Asia with the same man, and that, when the census before that was taken, no sector of the population was counted. But since the census list does not establish the right of citizenship but only shows that the person who was entered on the list did at that particular time conduct himself as a citizen, at that date, the man whom you accuse of not even in his own opinion having a share in the rights of Roman citizens, both often made a will according to our laws and inherited legacies from Roman citizens and was mentioned to the treasury on his rewards list by Lucius Lucullus.

12. Quaere argumenta, si qua potes: numquam enim his neque suo neque amicorum iudicio revincetur. Quaeres a nobis, Grati, cur tanto opere hoc homine delectemur. Quia suppeditat nobis ubi et animus ex hoc forensi strepitu reficiatur, et aures convicio defessae conquiescant. An tu existimas aut suppetere nobis posse quod cotidie dicamus in tanta

varietate rerum, nisi animos nostros doctrina excolamus; aut ferre animos tantam posse contentionem, nisi eos doctrina eadem relaxemus? Ego vero fateor me his studiis esse deditum: ceteros pudeat, si qui se ita litteris abdiderunt ut nihil possint ex eis neque ad communem adferre fructum, neque in aspectum lucemque proferre: me autem quid pudeat, qui tot annos ita vivo, iudices, ut a nullius umquam me tempore aut commodo aut otium meum abstraxerit, aut voluptas avocarit, aut denique somnus retardit?

12. Find stronger arguments, if you can, for the defendant will never be convicted on his own or his friends' judgment. You may ask me, Gratus, why I am so very delighted with this man. It is because he allows my mind to recover from the din of these courts and my exhausted ears to relax away from shouting. How do you suppose I am able to find the subject matter of which I speak daily in so great a variety of cases, without cultivating a taste for literature, or put my mind under such strain without this study with which I might relax it? I admit, indeed that I have dedicated myself to these studies. Let others be ashamed, if they have buried their heads in books, and found nothing which can advance the common good nor be brought into the light of day; but why should I be ashamed, I who for as long as I have lived, gentlemen of the jury, have never been torn away from helping people either by my pastimes or, even, by sleep?

13. Qua re quis tandem me reprehendat, aut quis mihi iure suscenseat, si, quantum ceteris ad suas res obeundas, quantum ad festos dies ludorum celebrandos, quantum ad alias voluptates et ad ipsam requiem animi et corporis conceditur temporum, quantum alii tribuunt tempestivis conviviis, quantum denique alveolo, quantum pilae, tantum mihi egomet

ad haec studia recolenda sumpsero? Atque hoc ideo mihi concedendum est magis, quod ex his studiis haec quoque crescit oratio et facultas; quae, quantacumque in me est, numquam amicorum periculis defuit. Quae si cui levior videtur, illa quidem certe, quae summa sunt, ex quo fonte hauriam sentio.

13. And who can reproach or justly censure me for this, if, for as much time as others devote to organising their own affairs, for as much time as others spend at public entertainments, for as much time as people set aside merely to rest mind and body, for as much time as people spend at protracted parties, for as much time, even, as others devote to playing dice or ball, I improve my knowledge of this discipline? The more so, because my eloquence and ability, such as is within me, grow from these studies, and have never been denied to my friends in need. Even if this talent seems small, I certainly acknowledge the fount from which I have drawn the elements of it that are the finest.

14. Nam nisi multorum praeceptis multisque litteris mihi ab adulescentia suasissem, nihil esse in vita magno opere expetendum nisi laudem atque honestatem, in ea autem persequenda omnis cruciatus corporis, omnia pericula mortis atque exsili parvi esse ducenda, numquam me pro salute vestra in tot ac tantas dimicationes atque in hos profligatorum hominum cotidianos impetus obiecissem. Sed pleni omnes sunt libri, plenae sapientium voces, plena exemplorum vetustas: quae iacerent in tenebris omnia, nisi litterarum lumen accederet. Quam multas nobis imagines--non solum ad intuendum, verum etiam ad imitandum--fortissimorum virorum expressas scriptores et Graeci et Latini reliquerunt? Quas ego mihi semper in administranda re publica proponens animum et mentem meam ipsa cogitatione hominum excellentium conformabam.

14. For had I not been persuaded in my youth by the teachings of many, and by many books, that nothing is to be desired better than excellence and integrity, and moreover that all tortures of the body, all dangers of death or exile incurred in their pursuit are to be taken lightly, then I should never, for the sake of your safety, have subjected myself to so many and such great struggles and to the daily attacks of desperate men. But all books are full, all words of the wise are full, and all history is full of examples which would all lie in obscurity had they not come into the light of the written word. How many portraits, images vividly drawn not only for contemplation but for emulation, of the bravest men have been left to us by Greek and Latin writers! I have always kept these images in view when serving as a magistrate, shaping my heart and mind after them by meditating on their excellences.

15. Quaeret quispiam: "Quid? Illi ipsi summi viri, quorum virtutes litteris proditae sunt, istane doctrina, quam tu effers laudibus, eruditi fuerunt?" Difficile est hoc de omnibus confirmare, sed tamen est certe quod respondeam. Ego multos homines excellenti animo ac virtute fuisse, et sine doctrina naturae ipsius habitu prope divino per se ipsos et moderatos et gravis exstitisse, fateor: etiam illud adiungo, saepius ad laudem atque virtutem naturam sine doctrina quam sine natura valuisse doctrinam. Atque idem ego contendo, cum ad naturam eximiam atque inlustrem accesserit ratio quaedam conformatioque doctrinae, tum illud nescio quid praeclarum ac singulare solere exsistere.

15. Someone may ask: "What? Were those greatest of men, whose noble deeds are recorded in books, themselves skilled in that art you so bring forth in praises?" It is difficult to say that they all were; but my answer is certain. I admit that there have been many men of excellent

temperament and ability who were not learned, but who achieved self-possession and dignity of character by their own natural, almost godlike endowments; but I would even go so far as to add this, that ability without learning is worth more than learning without ability. And yet I also maintain this, that when there is added to a naturally noble and elevated disposition that which may be called the methodical training and cultivation that learning gives, there usually results some, so to speak, brilliant and unique product.

16. Ex hoc esse hunc numero, quem patres nostri viderunt, divinum hominem Africanum; ex hoc C. Laelium, L. Furium, moderatissimos homines et continentissimos; ex hoc fortissimum virum et illis temporibus doctissimum, M. Catonem illum senem: qui profecto si nihil ad percipiendam colendam virtutem litteris adjuvarentur, numquam se ad earum studium contulissent. Quod si non his tantus fructus ostenderetur, et si ex his studiis delectatio sola peteretur, tamen (ut opinor) hanc animi adversionem humanissimam ac liberalissimam iudicaretis. Nam ceterae neque temporum sunt neque aetatum omnium neque locorum: haec studia adulescentiam alunt, senectutem oblectant, secundas res ornant, adversis perfugium ac solacium praebent, delectant domi, non impediunt foris, pernoctant nobiscum, peregrinantur, rusticantur.

16. There were examples of this in our fathers' time, the younger Africanus, a godlike man, also Gaius Laelius and Lucius Furius, men of the greatest moderation and self-control, also the bravest and most learned man of his day, the elder Cato; these great men, if they could not be helped by literature in the attaining and practice of greatness, would never have given themselves over to its study. But if this great reward could not be shown, and if only delight could be gleaned from these studies, you would still, I think, believe it to be most conducive to

culture and refinement. For other forms of relaxation are not so universally suited to all ages, times and places; but these studies sustain youth and entertain old age, they enhance prosperity, and offer a refuge and solace in adversity, they delight us when we are at home without hindering us in the wider world, and are with us at night, when we travel and when we visit the countryside.

17. Quod si ipsi haec neque attingere neque sensu nostro gustare possemus, tamen ea mirari deberemus, etiam cum in aliis videremus. Quis nostrum tam animo agresti ac duro fuit, ut Rosci morte nuper non commoveretur? qui cum esset senex mortuus, tamen propter excellentem artem ac venustatem videbatur omnino mori non debuisse. Ergo ille corporis motu tantum amorem sibi conciliarat a nobis omnibus: nos animorum incredibilis motus celeritatemque ingeniorum neglegemus?

17. If we cannot achieve much in these studies ourselves, nor encourage any desire to, we should however still admire them, when we see them in others. Who among us was so boorish and hard-hearted that they were not moved when Roscius died recently? Although he was an old man when he died, he still, because of his great skill and grace seemed wholly exempt from mortal fate. He excited such love in us with the motions of his body; should we ignore the incredible motions of mind, or quickness of intellect?

18. Quotiens ego hunc Archiam vidi, iudices, --utar enim vestra benignitate, quoniam me in hoc novo genere dicendi tam diligenter

attenditis,--quotiens ego hunc vidi, cum litteram scripsisset nullam, magnum numerum optimorum versuum de eis ipsis rebus quae tum agerentur dicere ex tempore! Quotiens revocatum eandem rem dicere, commutatis verbis atque sententiis! Quae vero adcurate cogitateque scripsisset, ea sic vidi probari, ut ad veterum scriptorum laudem perveniret. Hunc ego non diligam? non admirer? non omni ratione defendendum putem! Atque sic a summis hominibus eruditissimisque accepimus, ceterarum rerum studia et doctrina et praeceptis et arte constare: poetam natura ipsa valere, et mentis viribus excitari, et quasi divino quodam spiritu inflari. Qua re suo iure noster ille Ennius sanctos appellat poetas, quod quasi deorum aliquo dono atque munere commendati nobis esse videantur.

18. How many times have I seen this man Archias, gentlemen of the jury, - for I shall make use of your indulgence, since you have so diligently attended to me in this new manner of speaking - how many times have I seen this man, but that he wrote nothing, or did not produce a great number of excellent verses on the very matters which were being transacted at the time, off the top of his head! How many times have I seen him, being asked to perform an encore, say the same thing, with different words and phrases? Those things which he has carefully and thoughtfully written, I have seen so celebrated, that he became as famous as the writers of the old days. Should I not delight in such a man? Should I not admire him? Should I not think that I must defend him by any and every means? And we have it on the authority of the greatest and most learned men, that while other matters are built on knowledge and learning, rules and skill: a poet draws strength from nature only, is awoken by dint of his own mind's strength, and grows by some, as it were, divine spirit. Therefore our own Ennius of his own right called poets sacred, because they seem to be commended by some gift and largesse of, so to speak, the gods.

19. Sit igitur, iudices, sanctum apud vos, humanissimos homines, hoc poetae nomen, quod nulla umquam barbaria violavit. Saxa et solitudines voci reponent, bestiae saepe immanes cantu flectuntur atque consistunt: nos, instituti rebus optimis, non poetarum voce moveamur? Homerum Colophonii civem esse dicunt suum, Chii suum vindicant, Salaminii repetunt, Smyrnaei vero suum esse confirmant, itaque etiam delubrum eius in oppido dedicaverunt: permulti alii praeterea pugnant inter se atque contendunt. Ergo illi alienum, quia poeta fuit, post mortem etiam expetunt: nos hunc vivum, qui et voluntate et legibus noster est, repudiabimus? praesertim cum omne olim studium atque omne ingenium contulerit Archias ad populi Romani gloriam laudemque celebrandam? Nam et Cimbricas res adulescens attigit, et ipsi illi C. Mario, qui durior ad haec studia videbatur, iucundus fuit.

19. Let, therefore, gentlemen of the jury, it be sacred to you, most civilised of men, this name of 'poet', which no barbarian has ever defiled. The rocks and the lonely places resound to the poet's voice; huge beasts are often lulled to a standstill by his singing: should we, raised to all the best things in life, not be moved by the poet's voice? The people of Colophon say Homer was one of their citizens, the people of Chios claim him as their own, as do the Salaminians; the people of Smyrna are so sure he was one of theirs that they have dedicated a shrine to him in their town: many more besides fight and compete between themselves for him. Therefore, when Homer, a foreigner, is even so claimed after his death, because he was a poet, are we to reject this living poet, who, by will and by law, is ours? Especially when at one time Archias dedicated all of his learning and all of his talent to the glory and the praise of the people of Rome? For in his youth he wrote about the war against the

Cimbri, and Gaius Marius himself, who seemed somewhat lacking in sympathy for the study of poetry, delighted in him.

20. Neque enim quisquam est tam aversus a Musis, qui non mandari versibus aeternum suorum laborum facile praeconium patiatur. Themistoclem illum, summum Athenis virum, dixisse aiunt, cum ex eo quaereretur, quod acroama aut cuius vocem libentissime audiret: "Eius, a quo sua virtus optime praedicaretur." Itaque ille Marius item eximie L. Plotium dilexit, cuius ingenio putabat ea quae gesserat posse celebrari.

20. And indeed there is no-one so averse to the Muses, that he would not readily allow verses to be composed to last forever on his own deeds. They say that Themistocles himself, the greatest man in Athens, said, when they asked him which singer's voice he liked to hear best, "his, who sings of my bravery the best." Therefore Marius had great delight in Lucius Plotius, by whose talent he thought his deeds could be brought to a wider audience.

21. Mithridaticum vero bellum, magnum atque difficile et in multa varietate terra marique versatum, totum ab hoc expressum est: qui libri non modo L. Lucillum, fortissimum et clarissimum virum, verum etiam populi Romani nomen inlustrant. Populus enim Romanus aperuit Lucullo imperante Pontum, et regiis quondam opibus et ipsa natura et regione vallatum: populi Romani exercitus, eodem duce, non maxima manu innumerabilis Armeniorum copias fudit: populi Romani laus est urbem amicissimam Cyzicenorum eiusdem consilio ex omni impetu

regio atque totius belli ore ac faucibus ereptam esse atque servatam: nostra semper feretur et praedicabitur L. Lucullo dimicante, cum interfectis ducibus depressa hostium classis, et incredibilis apud Tenedum pugna illa navalis: nostra sunt tropaea, nostra monimenta, nostri triumphi. Quae quorum ingeniis efferuntur, ab eis populi Romani fama celebratur.

21. Indeed, the Mithridatic War, great and arduous, with its many scenes and phases by land and sea, has been wholly treated by this man: his books not only shine glory upon Lucius Lucullus, a very brave and very famous man, but even upon the name of the people of Rome. For the people of Rome opened up Pontus under the leadership of Lucullus, fortified though it was by the forces of the king and by the very nature of the place: an army of the people of Rome, under that same leader, with inferior numbers routed the innumerable forces of the Armenians: and it is to the credit of the people of Rome that that most loyal of cities, that of the Cyzicenes, again under Lucullus' instruction, was saved from the king's every attack and snatched from the very mouth and jaws of war: as our exploit for all time shall be talked of and proclaimed that marvellous sea battle off Tenedos, where Lucullus fought, when the foeman's fleet was sunk and their leaders slaughtered: ours are the trophies, ours are the monuments and ours are the Triumphs. And by the men, whose talents extol these achievements, the renown of the Roman people is spread abroad.

22. Carus fuit Africano superiori noster Ennius, itaque etiam in sepulcro Scipionum putatur is esse constitutus ex marmore. At eis laudibus certe non solum ipse qui laudatur, sed etiam populi Romani nomen ornatur. In caelum huius proavus Cato tollitur: magnus honos populi Romani rebus adiungitur. Omnes denique illi Maximi, Marcelli, Fulvii, non sine

communi omnium nostrum laude decorantur. Ergo illum, qui haec fecerat, Rudinum hominem, maiores nostri in civitatem receperunt: nos hunc Heracliensem, multis civitatibus expetitur, in hac autem legibus constitutum, de nostra civitate eiciemus?

22. Dear to the heart of Africanus the Elder was our Ennius, so it is even believed that a statue in marble of him has been set up on the tomb of the Scipios. But Ennius' praises certainly grace not only those to whom they are addressed, but also the name of the people of Rome. The great-grandfather of the current Cato was raised up to heaven, great honour is thereby attached to the government of the Roman people. In short, all those great men, the famous Maximus, Marcellus and Fulvius are dignified, but not without our sharing in all their glory. Therefore our ancestors received the man who did these things, a man from Rudiae, into the body of citizens: are we to reject this man of Heraclea, a man sought after by many states, and, moreover, legally settled in this one, from our body of citizens?

23. Nam si quis minorem gloriae fructum putat ex Graecis versibus percipi quam ex Latinis, vehementer errat: propterea quod Graeca leguntur in omnibus fere gentibus, Latina suis finibus, exiguis sane, continentur. Qua re si res eae quas gessimus orbis terrae regionibus definiuntur, cupere debemus, quo manuum nostrarum tela pervenerint, eodem gloriam famamque penetrare: quod cum ipsis populis de quorum rebus scribitur, haec ampla sunt, tum eis certe, qui de vita gloriae causa dimicant, hoc maximum et periculorum incitamentum est et laborum.

23. For if anyone thinks that there is less fruit of glory to be gleaned from Greek verses than from those in Latin, he is truly mistaken: for Greek

verses are read in nearly all communities, but those in Latin are confined to Latium's borders, which are narrow as you must admit. Therefore if the things we have achieved are only limited by the boundaries of the world, we should be desirous that whatever places our javelins can reach from our hands, to those same places our glory and reputation should penetrate: because not only to the particular peoples, whose deeds are described, are these honourable, but also to those assuredly who are fighting for their lives for glory's sake do they form the greatest incentive to facing perils and toils.

24. Quam multos scriptores rerum suarum magnus ille Alexander secum habuisse dicitur! Atque is tamen, cum in Sigeo ad Achillis tumulum astitisset: "O fortunate" inquit "adulescens, qui tuae virtutis Homerum praeconem inveneris!" Et vere. Nam nisi Illias illa exstitisset, idem tumulus, qui corpus eius contexerat, nomen etiam obruisset. Quid? noster hic Magnus, qui cum virtute fortunam adaequavit, nonne Theophanem Mytilenaeum, scriptorem rerum suarum, in contione militum civitate donavit; et nostri illi fortes viri, sed rustici ac milites, dulcedine quadam gloriae commoti, quasi participes eiusdem laudis, magno illud clamore approbaverunt?

24. How very many writers Alexander the Great is said to have had with him to record his deeds! But even he, when standing on the tomb of Achilles in Sigeum said "Oh, you lucky young thing, to have had Homer to herald your valour!" Indeed. For if the Iliad did not exist, then that very mound which covers his body, would also bury his name. What? Our own Great man of today, who has been as lucky as he has valorous, did he not award the citizenship to Theophanes of Mytilene, the writer of his deeds, before an assembly of the troops: and did those brave men

of ours, though they were country bumpkins and soldiers, moved by sweetness of that same glory, as though they shared in that same panegyric, not signal their approval with a great clamour?

25. Itaque, credo, si civis Romanus Archias legibus non esset, ut ab aliquo imperatore civitate donaretur perficere non potuit. Sulla cum Hispanos donaret et Gallos, credo hunc petentem repudiasset: quem nos in contione vidimus, cum ei libellum malus poeta de populo subiecisset, quod epigramma in eum fecisset, tantummodo alternis versibus longiusculis, statim ex eis rebus quas tunc vendebat iubere ei praemium tribui, sed ea condicione, ne quid postea scriberet. Qui sedulitatem mali poetae duxerit aliquo tamen praemio dignam, huius ingenium et virtutem in scribendo et copiam non expetisset?

25. And so, I suppose, if Archias had not been a Roman citizen by law, he would not have been able to bring it about that he be awarded citizenship by some general! I suppose that when Sulla was awarding it to Spaniards and Gauls, he would have denied the citizenship to this man for the asking! We have seen Sulla before an auction, when a bad poet thrust up to him from among the mass of people a pamphlet, because (so he said) he had written an epigram for him, though only in considerably long couplets, order that a reward be bestowed on him from the articles he was selling at the time, but on the condition that he never write anything again. Would the man who induced the officious zeal of this bad poet with some reward not seek out the talent, the skill in writing and the fluency of this man?

26. Quid? a Q. Metello Pio, familiarissimo suo, qui civitate multos donavit, neque per se neque per Lucullos impetravisset? qui praesertim usque eo de suis rebus scribi cuperet, ut etiam Cordubae natis poetis, pingue quiddam sonantibus atque peregrinum, tamen auris suas dederet. Neque enim est hoc dissimulandum (quod obscurari non potest) sed prae nobis ferendum: trahimur omnes studio laudis, et optimus quisque maxime gloria ducitur. Ipsi illi philosophi, etiam in eis libellis quos de contemnenda gloria scribunt, nomen suum inscribunt: in eo ipso, in quo praedicationem nobilitatemque despiciunt, praedicari de se ac nominari volunt.

26. What? Would he not have got his wish, either at his own request or at that of the Luculli, from Quintus Metellus Pius, the very good friend of his who awarded the citizenship to many men? Especially so since Metellus was so keen to have his deeds written about that he even gave an audience to poets of Cordoban birth, though their style sounded coarse and outlandish. And here is something that cannot be denied, which cannot be hidden, but which we should own up to: we are all driven by desire for praise, and the best man is he who is most led by glory. Even the philosophers themselves, who write their names in the pamphlets in which they pour scorn on publicity and nobility, seek to be publicised and named.

27. Decimus quidem Brutus, summus vir et imperator, Acci, amicissimi sui, carminibus templorum ac monumentorum aditus exornavit suorum. iam vero ille, qui cum Aetolis Ennio comite bellavit, Fulvius, non dubitavit Martis manubias Musis consecrare. Qua re in qua urbe imperatores prope armati poetarum nomen et Musarum delubra

coluerunt, in ea non debent togati iudices a Musarum honore et a poetarum salute abhorrere.

27. Decimus Brutus, the general and greatest of men, decorated the entrances to his temples and monuments with the poems of Accius, a very good friend of his. Indeed, the famous Fulvius, when he made war against the Aetolians with Ennius for a comrade, did not hesitate to consecrate the spoils of war to the Muses. Therefore in a city where generals, almost before they have taken off their armour, worship the name of poet and of the Muses, jurors clad in togas should not be put off by the honour of the Muses and the health of poets.

28. Atque ut id libentius faciatis, iam me vobis, iudices, indicabo, et de meo quodam amore gloriae, nimis acri fortasse verum tamen honesto vobis, confitebor. Nam quas res nos in consulatu nostro vobiscum simul pro salute huiusce imperi et pro vita civium prope universa re publica gessimus, attigit hic versibus atque inchoavit: quibus auditis, quod mihi magna res et iucunda visa est, hunc ad perficiendum adornavi. Nullam enim virtus aliam mercedem laborum periculorumque desiderat, praeter hanc laudis et gloriae: qua quidem detracta, iudices, quid est quod in hoc tam exiguo vitae curriculo et tam brevi tantis nos in laboribus exerceamus?

28. And so that you may do it all the more freely, I will now confess to you, gentlemen of the jury and admit to my love of glory, a love perhaps too keen, but indeed honest. For this man has begun but not finished setting down in verse the things which I accomplished, with your collaboration, for the safety of this city and of the empire, for the life of the citizens and for the unity of the Republic during my consulship.

Having heard of these things, which seemed great and joyous to me, I encouraged this man to finish the work. For bravery desires no other reward for toils and dangers faced, save this of praise and glory; if you take it away, gentlemen, what reason is left in this so narrow and so brief space of life to exert ourselves in such great toils?

29. Certe si nihil animus praesentiret in posterum, et si quibus regionibus vitae spatium circumscriptum est, eisdem omnis cogitationes terminaret suas; nec tantis se laboribus frangeret, neque tot curis vigiliisque angeretur, nec totiens de ipsa vita dimicaret. Nunc insidet quaedam in optimo quoque virtus quae noctis ac dies animum gloriae stimulis concitat, atque admonet non cum vitae tempore esse dimittendam commemorationem nominis nostri, sed cum omni posteritate adaequandam.

29. Certainly if the mind had no anticipation of the future, and if it set the same limits to all its thoughts as those by which our span of life is hemmed in; it would not break itself under such great labours, nor be troubled by so many cares and sleepless nights, nor fight so often for life itself. As it is, there resides in the best man a certain noble instinct which spurs the mind on night and day with reminders of glory, and warns that all mention of our name is not to be abandoned with the term of life, but is to be made coexistent with all futurity.

30. An vero tam parvi animi videamur esse omnes, qui in re publica atque in his vitae periculis laboribusque versamur, ut, cum usque ad

extremum spatium nullum tranquillum atque otiosum spiritum duxerimus, nobiscum simul moritura omnia arbitremur? An statuas et imagines, non animorum simulacra sed corporum, studiose multi summi homines reliquerunt; consiliorum relinquere ac virtutum nostrarum effigiem nonne multo malle debemus, summis ingeniis expressam et politam? Ego vero omnia quae gerebam, iam tum in gerendo spargere me ac disseminare arbitrabar in orbis terrae memoriam sempiternam. Haec vero sive a meo sensu post mortem afutura est sive--ut sapientissimi homines putaverunt--ad aliquam mei partem pertinebit, nunc quidem certe cogitatione quadam speque delector.

30. Are all of us to let ourselves seem so small-minded, we who are well-used to dangers and toils in the service of the state, as to think that, though even unto the very end of our course we allow ourselves no peace or leisure, our accomplishments will all die with us? Many of the greatest men have left behind statues and images, likenesses not of their minds but of their bodies; surely we should vastly prefer to leave behind effigies of our ideas, and of our braveries, moulded and polished by men of the greatest genius? I, indeed, in everything I have been doing, even during the act considered that I was scattering and spreading knowledge of my deeds to be remembered in the world forever. Whether this memory is destined to be absent from my sense after my death, or - as the wisest men have thought, whether it shall remain to some part of me, I am certainly now delighted by knowledge and a certain hope.

31. Qua re conservate, iudices, hominem pudore eo, quem amicorum videtis comprobari cum dignitate tum etiam vetustate; ingenio autem tanto, quantum id convenit existimari, quod summorum hominum ingeniis expetitur esse videatis; causa vero eius modi, quae beneficio legis, auctoritate municipi, testimonio Luculli, tabulis Metelli comprobetur. Quae cum ita sint, petimus a vobis, iudices, si qua non modo humana, verum etiam divina in tantis ingeniis commendatio debet esse, ut eum qui vos, qui vestros imperatores, qui populi Romani res gestas semper ornavit, qui etiam his recentibus nostris vestrisque domesticis periculis aeternum se testimonium laudis daturum esse profitetur, estque ex eo numero qui semper apud omnes sancti sunt habiti itaque dicti, sic in vestram accipiat fides, ut humanitate vestra levatus potius quam acerbitate violatus esse videatur.

31. Therefore protect, gentlemen of the jury, this man in his honour, which you have seen proven not only by the rank but also by the long-standing of his friends; moreover endowed with genius, great as a genius ought rightly to be esteemed which you see is sought after by men of the highest genius; with such a case as is upheld by the favour of the law, by the authority of the town, by the testimony of Lucullus, and by the records of Metellus. Things being so, I beg of you, gentlemen, if men of such genius ought to bear the seal not only of human but of divine approval, that you give him your countenance, he who has always celebrated you, your generals, and the deeds of the Roman people, he who has even said that he will give testimony of praise to those recent civil dangers which you and I faced, and is of that number who have always and everywhere been held and said to be sacred, so that he will be seen to have been saved by your humanity rather than condemned by your severity.

32. Quae de causa pro mea consuetudine breviter simpliciterque dixi, iudices, ea confido probata esse omnibus. Quae autem remota a mea iudicialique consuetudine, et de hominis ingenio et communiter de ipsius studio locutus sum, ea, iudices, a vobis spero esse in bonam partem accepta; ab eo qui iudicium exercet, certo scio.

32. On the technicalities of the case, I have spoken, as is my custom, briefly and simply, gentlemen, and I am confident that they are proven. Those things which I have said that differed from my own and from judicial custom, on the subjects of this man's genius and of the things that are his study in general, I hope they have been taken in good part by you, gentlemen, as I know for certain that they have by he who presides over this court.